

Docket No.: 065933-0270



*FFW*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Jun KITAKADO, et al.	:	Confirmation Number: 6931
Application No.: 10/577,766	:	Group Art Unit: 2616
Filed: January 03, 2007	:	Examiner: BOST, DWAYNE D
For: TRANSMISSION RATE DETERMINING METHOD, AND BASE STATION APPARATUS AND TERMINAL APPARATUS UTILIZING THE SAME	:	

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

The reference, JP 2002-299462 was first cited in a corresponding Japanese Office Action and its relevance discussed therein. Please note that the application corresponding to the listed reference, JP 2004-135180 was previously cited in an information disclosure statement filed on April 28, 2008. A copy of the foreign search report or office action, together with an English language version thereof, is attached for the Examiner's information.

10/577,766

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: December 8, 2008**

**Please recognize our Customer No. 20277  
as our correspondence address.**